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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,594	09/30/1999	RONALD W. BASSETT	AT9-99-254	5602
35525	7590	02/24/2005	EXAMINER	
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			SALCE, JASON P	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/409,594

Applicant(s)

BASSETT ET AL.

Examiner

Jason P Salce

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-30 and 32-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-30 and 32-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. After further search and consideration of the subject matter previously allowed (claims 10 and 31), the examiner has discovered Bobilin ('285 Patent), which reads on the claims limitations regarding synchronization using CRC.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7, 11, 13-28, 32 and 34-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. (U.S. Patent No. 5,861,881) in view of Bobilin et al. (U.S. Patent No. 4,316,285).

Referring to claim 1, Freeman discloses receiving a set of audio and video streams (see Column 4, Lines 10-12).

Freeman also discloses presenting selected ones of the set of audio and video streams (see Column 5, Lines 38-40).

Freeman also discloses that responsive to a user input to the data processing system, selectively altering the selected ones of the set of video and audio streams presented for the event (see Column 5, Lines 55-58 and Column 6, Lines 40-44).

Although Freeman discloses transmitted digital video (for sets of audio and video streams) in packets (see Column 11, Lines 19-20), Freeman fails to disclose that some of the selected stream from the set of streams include cyclic redundancy check data based on other streams from the set of streams and synchronizing a portion of a first stream from the selected streams with a portion of a second stream from the other streams by calculating a cyclic redundancy check data for the second stream and comparing the calculated cyclic redundancy check data with the reference cyclic redundancy check data from the first stream to identify synchronization points.

Bobilin discloses that digital streams contain CRC data based on other streams from the set of streams (see Column 3, Lines 8-18 and Column 4, Lines 15-17 for receiving a multiplexed digital signal and those signals containing CRC data) and synchronizing a portion of a first stream from the selected streams with a portion of a second stream from the other streams by calculating CRC data for the second stream and comparing the calculated CRC data with the reference CRC data from the first stream to identify synchronization points (see Column 7, Lines 23-32 and Figure 5 and see Column 7, Lines 39-54 and Figure 6).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the digital video and audio stream transmission system, as taught by Freeman, using the CRC synchronization system, as taught by Bobilin, for the purpose of providing added assurance to determine whether the receiver is synchronized with a data pattern which emulates the true framing pattern (see Column 4, Lines 52-60 of Bobilin).

Referring to claim 2, Freeman discloses presenting the video stream on a display (see monitor 16 in Figure 1).

Freeman also discloses altering a location in the display in which the video stream is presented (see Column 15, Lines 64-67 and Column 16, Lines 1-29).

Referring to claim 3, Freeman discloses selecting different selected ones of the set of video streams for presentation (see Column 10, Lines 43-47).

Referring to claim 4, see the rejection of claim 3.

Referring to claim 5, Freeman discloses selecting different selected ones of the set of audio streams for presentation (see Column 14, Lines 10-30).

Referring to claim 6, see the rejection of claim 5.

Referring to claim 7, Freeman discloses receiving a set of information streams including text (see Column 19, Lines 20-24 and 30-32 for a specific example of displaying text to a user viewing and/or playing an interactive program).

Freeman also discloses that responsive to the user input, selectively presenting selected ones of the sets of information streams on a display (see Column 19, Lines 42-47 for accessing an interactive program and displaying additional web site text information according to the user's inputs).

Referring to claim 11, Freeman discloses a computer at Column 4, Lines 15-20 and element 6 in Figure 1.

Referring to claim 13, Freeman discloses a television at Column 7, Lines 38-43.

Referring to claim 14, see the rejection of claims 1 and 7.

Referring to claims 15-16, see the rejection of claim 11.

Referring to claim 17, Freeman discloses that the set of video and audio streams are provided from a first source (see element 38 in Figure 1 and Column 2, Lines 39-60).

Referring to claim 18, Freeman discloses providing a second video stream from a second source (see Column 2, Lines 39-60 and element 42 in Figure 1).

Referring to claim 19, Freeman discloses providing a second audio stream from a second source (see Column 2, Lines 39-46).

Referring to claim 20, Freeman discloses that the set of video, audio and information streams are provided from at least two different sources (see Column 2, Lines 47-60).

Referring to claim 21, Freeman discloses that the set of video, audio and information streams are provided via a broadband network (see Column 5, Lines 45-67 and Figure 5).

Referring to claims 22-28, see the rejection of claims 1-7, respectively.

Referring to claims 32 and 34, see the rejection of claims 11 and 13, respectively.

Referring to claims 35-42, see the rejection of claims 14-21, respectively.

Referring to claims 43-44, see the rejection of claims 1 and 14, respectively.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 12 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. (U.S. Patent No. 5,861,881) in view of Bobilin et al. (U.S. Patent No. 4,316,285).

Referring to claim 12, Freeman and Bobilin disclose all of the limitations in claim 1, as well as the data processing system being a computer (see the rejection of claim 11), but fails to teach a personal digital assistant. The examiner takes Official Notice that personal digital assistants are well known to supplement computers for use in displaying multiple video, audio and text streams. At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the computer, as taught by Freeman and Bobilin, using the personal digital assistant, for the purpose of providing the user with a compact device for receiving and viewing the different types of video, audio and data streams.

Referring to claims 33, see the rejection of claim 12.

4. Claims 8-9 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeman et al. (U.S. Patent No. 5,861,881) in view of Bobilin et al. (U.S. Patent No. 4,316,285) in further view of Itakura et al. (U.S. Patent No. 6,493,832).

Referring to claim 8, Freeman and Bobilin disclose all of the limitations in claim 1 and also teaches synchronizing video and audio streams (MPEG-2 streams) by the use of sync add circuits 151 and 152, as well as sync frame circuits 153 and 142 (see Figure 7). Freeman fails to disclose that the streams are synchronized by the use of time stamps. Itakura discloses synchronizing audio and video streams by the use of

time stamps (see Column 4, Lines 46-49, Column 6, Lines 7-19 and Column 10, Lines 61-67 and Column 11, Lines 1-3).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art, to modify the synchronization method, as taught by Freeman and Bobilin, using the time stamp synchronization method, as taught by Itakura, for the purpose of removing jitter from an incoming MPEG stream (see Column 6, Lines 5-6 of Itakura).

Claim 9 is analogous to claim 8, because the time stamp is inside a data packet (see Column 4, Lines 64-67 of Itakura).

Referring to claims 29-30, see the rejection of claims 8-9, respectively.

Conclusion

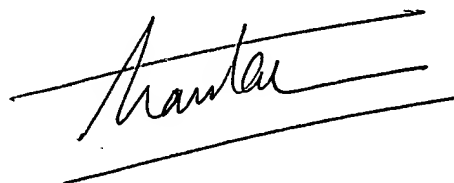
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P Salce whose telephone number is (703) 305-1824. The examiner can normally be reached on M-Th 8am-6pm (every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

February 14, 2005

A handwritten signature in black ink, appearing to read "HAITRAN", is written over three horizontal lines.

**HAITRAN
PRIMARY EXAMINER**